

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

BOOKENDS & BEGINNINGS LLC, on
behalf of itself and all others similarly
situated

Plaintiff	Case Number
vs.	1:21-cv-02584
AMAZON.COM, INC.; HACHETTE BOOK GROUP, INC; HARPERCOLLINS PUBLISHERS L.L.C.; MACMILLAN PUBLISHING GROUP, LLC; PENGUIN RANDOM HOUSE LLC; SIMON & SCHUSTER, INC.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

SHANNON FREMGEN, MARY
CHRISTOPHERSON-JUVE, DENISE DELEON,
SANDRA WILDE, MICHAEL WILDER, on behalf
of themselves and all others similarly situated

Plaintiff	Case Number
vs.	1:21-cv-00351-GHW-DCF
AMAZON.COM, INC.; HACHETTE BOOK GROUP, INC; HARPERCOLLINS PUBLISHERS L.L.C.; MACMILLAN PUBLISHING GROUP, LLC; PENGUIN RANDOM HOUSE LLC; SIMON & SCHUSTER, INC.	
Defendant	

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

The Court adjourned the defendants' deadline to respond to the complaint until the Court issues its order on pending motions to consolidate related cases and to appoint interim lead counsel.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The cases involve substantially similar parties, transactions and events. Both cases allege anticompetitive conduct against the same defendants, based on the same contractual relations. Whereas the earlier filed Fremgen case alleges that the defendants' conduct harms purchasers of electronic books, the newly filed Bookend case asserts that the defendants' conduct also harm purchasers of print books.

Because there are substantial overlaps in the cases' factual allegations concerning the substance and impact of the defendants' agreements, a determination of relatedness would eliminate substantial duplication of effort and expense, delay, and undue burden on the Court, parties and witnesses. Equally, because both cases assert similar theories of antitrust liability and injury, a determination of relatedness also alleviates the risk of potentially conflicting orders.

Signature: /s/ Nathaniel Tarnor

Date: 3/25/2021

HAGENS BERMAN SOBOL SHAPIRO LLP

Firm: _____